

<b>U.S. Department of Energy</b> <b>Energy Information Administration</b> <b>Form EIA-861 (2005)</b>	<b>ANNUAL ELECTRIC POWER</b> <b>INDUSTRY REPORT</b>	<b>Form Approved</b> <b>OMB No. 1905-0129</b> <b>Approval Expires</b>
<b>PURPOSE</b>	<p>Form EIA-861 collects information on the status of electric power industry participants involved in the generation, transmission, and distribution of electric energy in the United States, its territories, and Puerto Rico. The data from this form are used to accurately maintain the EIA list of electric utilities, to draw samples for other electric power surveys, and to provide input for the following EIA <del>reports publications:</del> <i>Electric Sales and Revenue</i>, <i>Electric Power Monthly</i>, <del>Monthly Energy Review</del>, <i>Electric Power Annual</i>, <i>Annual Energy Outlook</i>, <i>Annual Energy Review</i>, and <i>Financial Statistics of Major U.S. Publicly Owned Electric Utilities</i>. The data collected on this form are used to monitor the current status and trends of the electric power industry and to evaluate the future of the industry.</p>	
<b>REQUIRED RESPONDENTS</b>	<p>The Form EIA-861 is to be completed by electric industry participants including: electric utilities, wholesale power marketers (registered with the Federal Energy Regulatory Commission), energy service providers (registered with the States), and electric power producers.</p>	
<b>RESPONSE DUE DATE</b>	<p>Submit the completed Form EIA-861 to the EIA by April 30, following the end of the calendar year.</p>	
<b>METHODS OF FILING RESPONSE</b>	<p>Submit your data electronically using EIA's secure Internet Data Collection system (IDC). This system uses security protocols to protect information against unauthorized access during transmission.</p> <ul style="list-style-type: none"> <li>• If you have not registered with EIA's Single Sign-On system, send an e-mail requesting assistance to: <a href="mailto:EIA-861@eia.doe.gov">EIA-861@eia.doe.gov</a>.</li> <li>• If you have registered with Single Sign-On, log on at <a href="https://signon.eia.doe.gov/ssoserver/login">https://signon.eia.doe.gov/ssoserver/login</a></li> <li>• If you are having a technical problem with logging into the IDC or using the IDC contact the IDC Help Desk for further information. Contact the Help Desk at:</li> </ul> <p style="text-align: center;">E-Mail: <a href="mailto:CNEAFhelpcenter@eia.doe.gov">CNEAFhelpcenter@eia.doe.gov</a></p> <p style="text-align: center;">Phone: 202-287-1333</p> <ul style="list-style-type: none"> <li>• If you need an alternate means of filing your response, contact the Help Desk.</li> </ul> <p>Retain a completed copy of this form for your files.</p>	
<b>CONTACTS</b>	<p><b>Internet System Questions:</b> For questions related to the Internet Data Collection system, see the help contact information immediately above.</p> <p><b>Data Questions:</b> For questions about the data requested on Form EIA-861, contact:</p> <p>Tom Leckey  Telephone Number: 202 287-1840  FAX Number: (202) 287-1938  E-mail: <a href="mailto:EIA-861@eia.doe.gov">EIA-861@eia.doe.gov</a></p>	

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<b>GENERAL INSTRUCTIONS</b>	<p><b>Submit the completed Form EIA-861 to the EIA by April 30, following the end of the calendar year.</b></p> <ol style="list-style-type: none"> <li>1. Verify all provided information. If incorrect, <del>draw a line through the incorrect entry and</del> provide the correct information. State codes are two-letter U.S. Postal Service abbreviation. Provide any missing information.</li> <li>2. Respondents, who also submit the Form EIA-826, "Monthly Electric Sales and Revenue Report with State Distributions" and the Form EIA-412, "Annual Electric Industry Financial Report," should coordinate the information submitted on the Form EIA-861, Form EIA-826, and Form EIA-412 to ensure consistency.</li> <li>3. Complete the information at the top portion of the form with the names, <del>and</del> telephone <del>and fax numbers, and the email addresses</del> of the current contact person, <del>and the contact person's and</del> supervisor.</li> <li>4. Report peak demand in megawatts and energy values (e.g., generation and sales) in megawatthours, except where noted. One megawatthour equals 1,000 kilowatthours. To convert kilowatthours to megawatthours, divide by 1,000 and round to the nearest whole number. For example, sales of 5,245,790 kilowatthours should be reported as 5,246 megawatthours.</li> <li>5. Report in whole numbers (i.e., no decimal points), except where explicitly instructed to report otherwise. All revenue data on Schedules 3, 4, and 5 should be rounded and reported in thousand dollars. For example, revenue of \$8,459,688.42 should be reported as \$8,460.</li> <li>6. For number of customers, enter the average of the 12 close-of-month customer accounts. <ul style="list-style-type: none"> <li>• All respondents having retail customers, including retail power marketers selling power in deregulated, competitive State programs must use the average of the 12 close-of-month customer counts when reporting on Schedule IV, even if your company began business after the beginning of the reporting year, or ended business before the close of the year.</li> <li>• Count each meter as a separate customer in cases where commercial franchise, or residential customer-buying groups have been aggregated under one buyer representative. The customer counts for public street and highway lighting should be one customer per community.</li> <li>• Please do not count each pole as a separate customer even if billing is by a flat rate per pole per month.</li> </ul> </li> <li>7. Use a minus sign for reporting negative numbers.</li> <li>8. Where exact data are unavailable, report estimated data.</li> <li>9. See the Glossary for terms used in this survey. The financial and accounting terms are consistent as outlined in the Uniform System of Accounts for Public Utilities and Licensees (U.S. of A) (18 CFR Part 101).</li> </ol>	

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ITEM-BY-ITEM  
INSTRUCTIONS

Schedule 1. Identification

- For line 1, **Legal Name of Industry Participant**, enter the legal name of the industry participant for which this form is being prepared.
- For line 2, **Current Address of Principal Business Office**, enter the complete address, excluding the legal name, of the industry participant's principal business office (i.e., headquarters, main office, etc.).
- For line 3, **Preparer's Legal Name**, enter the legal name of the company, which prepares this form, if different from line 1.
- For line 4, **Current Address of Preparer's Office**, enter the address to which this form should be mailed, if different from line 2. Include an attention line, room number, building designation, etc. to facilitate the future handling and processing of the Form EIA-861.
- For line 5, **Respondent Type**, enter an "X" for ownership type that describes the electric entity.

Schedule 2, Part A. General Information

- For line 1, please check all of the Regional Councils within the North American Electric Reliability Council (NERC), in which your organization conducts operations.  
  
The Regional Councils are:  
ECAR ..... East Central Area Reliability Coordination Agreement  
ERCOT ..... Electric Reliability Council of Texas  
FRCC ..... Florida Reliability Coordinating Council  
MAAC ..... Mid-Atlantic Area Council  
MAIN ..... Mid-America Interconnected Network  
MAPP ..... Mid-Continent Area Power Pool  
NPCC ..... Northeast Power Coordinating Council  
SERC ..... Southeastern Electric Reliability Council  
SPP ..... Southwest Power Pool  
WECC ..... Western Electric Coordinating Council
- For line 3, **Control Area Operator(s)**, enter the name of the control area operator(s) responsible for your oversight.
- For line 4, **Operate Generating Plant(s)**, Check Yes to indicate that organization operated a generating plant(s) during the reporting period. Otherwise, Check No.

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	<p>4. For line 5, <b>Activities</b>, Check the appropriate activities the electric entity was engaged in during the reporting year.</p> <p><b>Generation from company owned plant.</b> Owned power generation only.</p> <p><b>Transmission.</b> Owned or leased transmission lines.</p> <p><b>Buying transmission services on other electrical systems.</b> Types of services include borderline customers, transmission line rental, transmission capacity, transmission wheeling, and system operational services.</p> <p><b>Distribution using owned/leased electrical wires.</b> Power delivery to your own end-use customers over distribution facilities.</p> <p><b>Buying distribution on other electrical systems.</b> Types of support include customer billing, distribution system support charges for energy delivered, line maintenance, and/or equipment charges.</p> <p><b>Wholesale power marketing.</b> Wholesale transactions with other electric utilities, purchases from power producers, and transactions to export and/or import electricity to, or from, Canada or Mexico. Also includes electrical sales and purchases among Federal Energy Regulatory Commission registered power marketers and similar participation in transactions with electric utilities.</p> <p><b>Retail power marketing.</b> Provision of electrical energy to retail customers in areas where the customer has been given the legal right to select a power supplier other than the "traditional electric utility."</p> <p><b>Bundled services.</b> Provision of electricity in combination with gas, <b>water</b>, cable, Internet, and/or telephone for a single price.</p> <p>5. For line 6, <b>Highest Hourly Electrical Peak System Demand</b>, <del>regulated</del> electric utility companies should enter the maximum hourly summer load (for months of June through September) based on net energy for the system during the reporting year. Net energy for the system is the sum of energy an electric utility needs to satisfy their service area and includes full and partial wholesale requirements customers, and the losses experienced in delivery. The maximum hourly load is determined by the interval in which the 60-minute integrated demand is the greatest. If such data are unavailable, adjust available data to approximate a 60-minute demand interval and explain the adjustment under Schedule <b>78</b>, <b>Footnotes</b>. If adjustments cannot be made, furnish data as available and explain under Schedule <b>78</b>, <b>Footnotes</b>. For winter enter the maximum hourly winter load (for months of January through March, and the previous December) based on the net energy for the system during the reporting year. Please note: These data elements should be provided in megawatts.</p> <p>6. For line 7, <b>Alternative Fueled Vehicles</b>, Check Yes to indicate that your company owns/operates, or plans to own and operate, alternative fueled vehicles; otherwise Check No. If "Yes," provide the name, title, FAX number, telephone number and e-mail address of a contact person. Note: For the purpose of this question, an "alternative-fueled vehicle" is either designed or manufactured by an original equipment manufacturer or is a converted vehicle designed to operate in either dual-fuel, flexible-fuel, or dedicated modes on fuels other than gasoline or diesel. This does not include a conventional vehicle that is limited to operation on blended or reformulated gasoline fuels.</p>	

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	<ol style="list-style-type: none"> <li>1. Enter the annual megawatthours (MWh), <b>to the second decimal point, (e.g. 4287.59) if possible</b>, for all sources of energy and disposition of energy listed.</li> <li>2. For line 1, <b>Net Generation</b>, enter the net generation (gross generation minus station use) from all respondent-owned plants. If a plant is jointly owned, enter only the reporting party's share of generation. Include generation used to replace system losses arising from wheeling transactions. Include net generation supplied as part of a tolling arrangement.</li> <li>3. For line 2, <b>Purchases from Electricity Suppliers</b>, enter the total amount of energy purchased from electricity suppliers including: nonutility power producers and power marketers (reported separately in previous years), municipal departments and power agencies, cooperatives, investor-owned utilities, political subdivisions, State agencies and power pools, and marketing agencies of the United States Government and Canada; these agencies include Bonneville Power Administration (BPA), Southeastern Power Administration (SEPA), Southwestern Power Administration (SWPA), Western Area Power Administration (WAPA), Tennessee Valley Authority (TVA), United States Army Corps of Engineers, the United States Bureau of Reclamation, United States Bureau of Indian Affairs, International Boundary and Water Commission, Hydro-Quebec, etc. This entry includes requirements and non-requirements purchased power. Note: Please identify on Schedule <b>78</b>, <b>Footnotes</b>, the portion of purchased power obtained through tolling arrangements.</li> <li>4. For line 3, <b>Exchanges Received (In)</b>, enter the amount of exchange energy received. Do not include power received through tolling arrangements.</li> <li>5. For line 4, <b>Exchanges Delivered (Out)</b>, enter the amount of exchange energy delivered. Do not include power delivered as part of a tolling arrangement.</li> <li>6. For line 5, <b>Exchanges (Net)</b>, enter the net amount of energy exchanged. Net exchange is the difference between the amount of exchange received and the amount of exchange delivered (lines 3-4). This entry should not include wholesale energy purchased from or sold to regulated companies or unregulated companies for other systems.</li> <li>7. For line 6, <b>Wheeled Received (In)</b>, enter the total amount of energy entering your system from other systems for transmission through your system (wheeling) for delivery to other systems. Do not report as Wheeled Received, energy purchased or exchanged for consumption within your system, which was wheeled to you by others.</li> <li>8. For line 7, <b>Wheeled Delivered (Out)</b>, enter the total amount of energy leaving your system that was transmitted through your system for delivery to other systems. If Wheeling Delivered is not precisely known, please estimate based on your system's known percentage of losses for wheeling transactions.</li> <li>9. For line 8, <b>Wheeled (Net)</b>, enter the difference between the amount of energy entering your system for transmission through your system and the amount of energy leaving your system (line 6 minus line 7). Wheeled net represents the energy losses on your system associated with the wheeling of energy for other systems.</li> <li>10. For line 9, <b>Transmission by Others, Losses</b>, enter the amount of energy losses associated with the wheeling of electricity provided to your system by other utilities. Transmission by Others Losses should always be expressed as a negative value.</li> <li>11. For line 10, <b>Total Sources</b>, enter the sum of the energy sources (lines 1, 2, 5, 8, and 9). This entry should be equal to line 17, <b>Total Disposition</b>.</li> </ol>	

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### Schedule 2, Part B. Energy Sources and Disposition (Continued)

- For line 11, **Retail Sales to Ultimate Customers**, enter the amount of electricity sold to customers purchasing electricity for their own use and not for resale. This entry should correspond to the revenue from sales to ultimate customers reported on Schedule 3, line 1, and should be equal to the total megawatthours reported on Schedule 4, Parts A, and B, column e, when summed for all reported States. This entry should include all unbilled megawatthours sold during the reporting period.
- For line 12, **Sales for Resale**, enter the amount of electricity sold for resale purposes. This entry should include sales for resale to power marketers (reported separately in previous years), full and partial requirements (firm) customers and to nonrequirements (nonfirm) customers. This entry should also correspond to the revenue from sales for resale reported in Schedule 3, line 3. Note: Please identify on Schedule 78, **Footnotes**, the portion of sales for resale power sold through tolling arrangements.
- For line 13, **Energy Furnished Without Charge**, enter the amount of electricity furnished by the electric utility without charge, such as to a municipality under a franchise agreement or for public street and highway lighting. This entry does not include data entered in line 14.
- For line 14, **Energy Consumed by Respondent Without Charge**, enter the amount of electricity used by the electric utility in its electric and other departments without charge. This entry does not include data entered in line 13.
- ~~For line 15, **Energy Consumed by Facility (Independent Power Producers or Qualifying Facility)**, enter the amount of electric energy consumed at the facility in support of a service or manufacturing process.~~
- For line 156, **Total Energy Losses**, enter the total amount of electricity lost from transmission, distribution, and/or unaccounted for. This is the difference between line 10, "**Total Sources**," and the sum of lines 11, 12, 13, 14 and 15. Total Energy Losses should always be expressed as a positive value.
- For line 17, **Total Disposition**, enter disposition of energy (the sum of lines 11, 12, 13, 14, 15, and 16). This entry should equal line 10, **Total Sources**.

### Schedule 2, Part C. Customer Service Programs

For customer service programs, enter by State and by sector the number of customers participating. Number of customers should not exceed the number of customers in Schedule 4a or 4b. If your programs are active in more than 2 States, provide additional information on Schedule 78, footnotes.

**Green Pricing** programs allow electricity customers the opportunity to purchase electricity generated from renewable resources and to pay for renewable energy development. Renewable resources include solar, wind, geothermal, hydroelectric power, and wood.

**Net Metering** arrangements permit a facility (using a meter that reads inflows and outflows of electricity) to sell any excess power it generates over its load requirement back to the electrical grid to offset consumption.

### Schedule 3. Electric Operating Revenue

- All electric operating revenue data should be rounded and reported in thousand dollars (for example, revenue of \$8,461,688.42 should be reported as \$8,462).



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	<ol style="list-style-type: none"> <li>2. For line 1, <b>Electric Operating Revenue from <del>Retail</del> Sales to Ultimate Customers</b>, enter the amount of revenue from sales of electricity to those customers purchasing electricity for their own use and not for resale. Revenue reported on Schedule 4, Part C, for delivery service (and all other charges) should <b>not</b> be reported on Schedule 3, line 1, but should be reported in Schedule 3, line 2, <b>Revenue from Unbundled (Delivery) Customers</b>. This entry is gross revenue and includes the revenue from State and local income taxes, energy or demand charges, customer service charges, environmental surcharges, franchise fees, fuel adjustments and other miscellaneous charges applied to <del>end-use retail</del> customers during normal billing operations. This entry should not include deferred charges, credits, or other adjustments, such as fuel or revenue from purchased power, from previous reporting periods which are included in Schedule 3, line 4, <b>Electric Credits/ Other Adjustments</b>. This entry should correspond to electricity sales reported in Schedule 2, Part B, line 11. (This entry should also be the same total revenue reported on Schedule 4, column e, Parts A and B, when summed for all reported States). This entry should include all unbilled revenue resulting from power sold during the reporting period.</li> <li>3. For line 2, <b>Revenue from Unbundled (Delivery) Customers</b>, enter the amount of revenue from unbundled customers who purchase their electricity from a supplier other than the electric utility that distributes power to their premises. This electric operating revenue does not include the charges for electric energy but does include the revenue required to cover power delivery.</li> <li>4. For line 3, <b>Electric Operating Revenue from Sales for Resale</b>, enter the amount of revenue from sales of electricity sold for resale purposes. This entry should include revenue from sales for resale to wholesale or retail power marketers, full and partial requirements customers (firm) and to nonrequirements (nonfirm) customers. This entry should also correspond to the sales for resale reported in Schedule 2, Part B, line 12.</li> <li>5. For line 4, <b>Electric Credits/Other Adjustments</b>, enter the amount of deferred revenue, which corresponds to Account 449.1 of the Uniform System of Accounts including revenue not applied to <del>end-use retail</del> or resale customers during the normal billing cycle. Funds included in this entry consist of refunds to customers resulting from rate commission rulings delayed beyond the reporting year in which the funds were originally collected. Also, include revenue distributions to customers from rate stabilization funds where the distribution occurred during the current reporting year but the funds were collected during previous reporting years.</li> <li>6. For line 5, <b>Other Electric Operating Revenue</b>, enter the amount of revenue received from electric activities other than selling electricity. This may include revenue from selling or servicing electric appliances, revenue from the sale of water and water power for irrigation, domestic, industrial or hydroelectric operations, revenue from electric plants leased to others, revenue from the transmission of electricity for others (wheeling), revenue from the sale of steam, but not including sales made by a steam heating department or transfers of steam under joint facility operations, revenue from interdepartmental rents or sale of electric property, revenue from late fees, penalties or reconnections, and revenue from interest. Do not include "Other Sales," from Schedule 4, column d, where "Other" refers to the class of customer.</li> <li>7. For line 6, <b>Total Electric Operating Revenue</b>, enter the total revenue received by your company for the reporting year (sum of lines 1, 2, 3, 4, and 5).</li> </ol>	

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<b>ITEM-BY-ITEM INSTRUCTIONS</b> Continued	<p align="center"> <b>Schedule 4, Part A. Retail Sales to Ultimate Customers. Full Service - Energy and Delivery Service (Bundled)</b> </p> <p> <b>Please note that data for the Transportation Sector (see definitions) has replaced the “Other” Sector on all parts of Schedule IV. <span style="color: red;">Non Transportation c</span>Customers previously reported under “Other,” including street and highway lighting, should now be included in the Commercial Sector. <span style="color: red;">Irrigation customers should be reported in the Industrial Sector.</span></b> </p> <p>         Enter the reporting year revenue (thousand dollars), megawatthours, and number of customers for <span style="color: red;">retail</span> sales of electricity to ultimate customers by State and customer class category for whom your company provides both energy and delivery service. <span style="color: red;">Power marketers providing both energy and delivery service should report on Part D.</span> Note: For sales to customer groups using brokers or aggregators, continue to count each customer separately. For instance, count a group of franchised commercial establishments aggregated through a single broker as separate customers (as reported in prior years). Enter the 2-letter U.S. Postal Service abbreviation (<span style="color: red;">if not preprinted</span>) for the State in which the electric sales occurred.       </p> <p align="center"> <b>Schedule 4, Part B. <span style="color: red;">Retail</span> Sales to Ultimate Customers. Energy - Only Service (Without Delivery Service)</b> </p> <p>         Enter the reporting year revenue (thousand dollars), megawatthours, and number of customers for <span style="color: red;">retail</span> sales of electricity to ultimate customers by State and customer class category for whom your company provides only the energy consumed, where another electric utility provides delivery services, including, for example, billing, administrative support, and line maintenance.       </p> <p align="center"> <b>Schedule 4, Part C. <span style="color: red;">Retail</span> Sales to Ultimate Customers. Delivery - Only Service (And All Other Charges)</b> </p> <p>         Enter the reporting year revenue (thousand dollars), megawatthours delivered, and number of customers for <span style="color: red;">retail</span> sales of electricity to ultimate customers in your service territory by State and customer class category for whom your company provides only billing and related energy delivery services, where another company supplies the energy.       </p> <p align="center"> <b>Schedule 4. <span style="color: red;">Retail</span> Sales to Ultimate Customers, Part D. Bundled Service by Retail Energy Providers, or Any Power Marketer that Provides “Bundled Service”. (Bundled Service).</b> </p> <p>         Enter the reporting period revenue (thousand dollars), megawatthours, and number of customers for retail sales of electricity to ultimate customers by State and customer class category for whom your company provided both energy and delivery service. For public street and highway lighting, count all poles in a community as one customer. Note: For sales to customer groups using brokers or aggregators, continue to count each customer separately. For instance, count a group of franchised commercial establishments aggregated through a single broker as separate customers (as reported in prior years). Enter the two-letter U.S. Postal Service abbreviation (if not preprinted) for the State in which the electric sales occur.       </p>	



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**Common Instructions: Schedule 4, Parts A, B, C, and D**

- For column a, **Residential**, enter the revenue, megawatthours, and number of customers for electric energy supplied for residential (household) purposes. For the residential class, do not duplicate the customer accounts due to multiple metering for special services (e.g., water heating, etc.).
- For column b, **Commercial**, enter the revenue, megawatthours, and number of customers for electric energy supplied for commercial purposes.
- For column c, **Industrial**, enter the revenue, megawatthours, and number of customers for electric energy supplied for industrial purposes.
- For column d, **Transportation**, enter the revenue, megawatthours, and number of customers for electric energy supplied for transportation purposes.
- For column e, **Total**, enter for each State, the sum of the revenue, megawatthours, and number of customers entered for residential, commercial, industrial, and transportation sales.

**Schedule 5. Mergers and/or Acquisitions**

If a merger or acquisition has occurred during the reporting period, report those newly-acquired corporate entities whose operations are now included in this report.

**Schedule 56. Demand-Side Management Information**

Demand-side management (DSM) programs are designed to modify patterns of electricity usage, including the timing and level of electricity demand. Schedule 65 is divided into two parts: Part A, **Actual Effects** and Part B, **Annual Costs**. Schedule 65 is to be completed by every company with a company-administered demand-side management (DSM) program. However, companies with both sales to ultimate customers and sales for resale which are less than 150,000 megawatthours are required to complete only the **INCREMENTAL EFFECTS** portion of Part A and annual cost to achieve in Part B, line 11, **Total Cost**.

The DSM information provided should: 1) reflect only activities that are undertaken specifically in response to company-administered programs, including activities implemented by third parties under contract to the company; 2) account for the complete range of DSM programs, including energy efficiency and load management; and 3) represent the energy and load effects at the customer meter (i.e., transmission and distribution or reserve requirement savings should be excluded). The DSM information should exclude, to the extent possible, energy and load effects that are not attributable to DSM program activities.

Non-program related effects include changes in energy and load attributable to: 1) nonparticipants (e.g., customers known as freeriders, who would adopt program-recommended actions even without the program); 2) government-mandated energy-efficiency standards that legislate improvements in building and appliance energy usage; 3) natural operations of the marketplace (e.g., reductions in customer energy usage due to higher prices); and 4) weather and business-cycle fluctuations.

Power supply cooperatives, municipal joint action agencies, and Federal Power Marketing Administrations are encouraged to coordinate the reporting of DSM information with their power purchasing utilities to avoid double counting the effects and costs of DSM programs. Utilities that have their DSM activities reported on the Schedule 65 of another company should name that company in the space provided on line 2 of the schedule and not complete the Schedule 65 themselves.

~~To the extent possible, avoid using the Other Customers category when reporting residential, commercial, or industrial customers that are bound together by common rate structures or other similar treatment. It is preferred that the company estimates each sector's effects and reports them separately.~~

**ITEM-BY-ITEM  
INSTRUCTIONS  
Continued**

**Schedule 65, Part A. Actual Effects**

This part of the Schedule collects information on the energy and load effects of DSM programs implemented, and measures installed, for each program category by major customer sector. It is divided into two subparts, **Incremental Effects** and **Annual Effects**.

1. Incremental Effects: The changes in energy use (measured in megawatthours) and peak load (measured in megawatts) caused in the current reporting year by new participants in your existing DSM programs and all participants in your new DSM programs. Reported Incremental Effects should be annualized to indicate the program effects that would have occurred had these participants been initiated into the program on January 1 of the current reporting year.
2. Annual Effects: The total changes in energy use (measured in megawatthours) and peak load (measured in megawatts) caused in the current reporting year by all participants in all of your DSM programs. This includes new and existing participants in existing programs (those implemented prior to the current reporting year that were in place during prior reporting year), all participants in new programs (those implemented during current reporting year), and participants in programs terminated since 1992 (those effects continue even though the programs have been discontinued). DSM programs have a useful life, and the net effects of these programs will diminish over time. To the extent possible, the Annual Effects should consider the useful life of efficiency and load control measures by accounting for building demolition, equipment degradation, and program attrition. The effects of new participants in existing programs and all participants in new programs should be based on their start-up dates (i.e., if participants enter a program in July, only the effects from July to December are to be reported). If start-up dates are unknown and cannot be reasonably estimated, the effects can be annualized (i.e., assume the participants were initiated into the program on January 1). Please note that Annual Effects are not a summation of 12 monthly peaks, but are the total DSM program effects of all programs and all participants for the current reporting year.
3. For Part A, under the appropriate customer sector: Residential, Commercial, Industrial, and Transportation, enter the aggregate Energy Effects (megawatthours, **to the second decimal point, if possible**) and Actual Peak Reduction (megawatts **to the second decimal point, if possible**) attributable to Energy Efficiency and Load Management programs. For Load Management also enter the Potential Peak Reduction (**megawatts to the second decimal point, if possible**) attributable to each customer sector.

**Schedule 56, Part B. Annual Costs**

This part of the schedule collects information on actual DSM program costs in the current reporting year. Program costs consist of the cash expenditures, reported in thousands of dollars, incurred by the company. Costs should reflect the total cash expenditures for the year, reported in **thousands of** dollars that flow out to support DSM programs. They should be reported in the year they are incurred, regardless of when the actual effects occurred. For example, the cash expenditures to purchase 1,000 load control devices for installation in customers' homes could be incurred a year in advance of the actual load savings that result from operation of the devices.

Total Cost: **In column (a), enter ~~on line 14~~ your actual Direct Costs, Incentive Payments, and Indirect Costs, incurred in the current reporting year. Report Energy Efficiency and Load Management Costs separately.** Direct Costs are those costs that are directly attributable to a particular DSM program (e.g., Energy Efficiency or Load Management). Indirect Costs are costs that may not be meaningfully included in any program category, but could be identified with an accounting cost category (e.g., Administrative, Marketing, Monitoring & Evaluation, Company-Earned Incentives, Other).

**Percentage of Cost:** If you are reporting DSM program costs for more than one State, in columns (b) through (e) provide the estimated percentage of those costs reported in column (a). If you are reporting program costs in more than four States, duplicate the sheet and attach the extra pages.

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Schedule 56, Part C. Supplemental Information

1. Please indicate, by checking “Yes” or “No” on line 14 ~~to indicate~~, whether DSM program changes, tracking procedures, evaluations, or reporting methods have affected the data reported on this schedule (since 1992).

2. Please indicate, by checking “Yes” or “No” on line 15 to indicate, whether your company is actively trying to increase the amount of “price responsive” customer load, i.e. load that responds dynamically to higher or lower prices for wholesale electricity. If the answer is “Yes,” enter the number of participating customers, by class, on line 16.

Schedule 7. Distributed and Dispersed Generation

This schedule collects information from distribution companies on industrial and commercial generators installed at or near a customer’s site, or other sites within the system. Provide all of the requested information for grid synchronized/connected, customer-site generators in column a, and for dispersed generators that are not grid synchronized/ connected in column b. Provide actual data if available, otherwise provide best estimates and indicate the nature of the data by checking the appropriate box on the form. If unable to provide either the requested data or an estimate, explain why in Schedule 9, Footnotes.

Schedule 7. Part A, Number and Capacity

1. For line 1, **Number of generators**, provide in column (a), the number of distributed generators in the area served by your distribution system. In column (b), provide the number of dispersed generators. Provide the total number of generators, and also provide the total number of generators that have a nameplate capacity of less than 1 megawatt. If you are unable to provide the breakout, please explain in Schedule 9, Footnotes.

2. For line 2, columns (a) and (b), **Total combined nameplate capacity (MW)**, provide the total amount of capacity, in megawatts. Provide the total nameplate capacity of all generators, and also provide the total capacity of generators that have a nameplate capacity of less than 1 megawatt. If you are unable to provide the breakout, please explain in Schedule 9, Footnotes.

3. For line 3, columns (a) and (b), **Percent of capacity that consists of backup-only units**, provide the percentage of the nameplate capacity listed in line 2 that is comprised of generators that are used **only** for emergency backup service.

Schedule 7. Part B, Types of Generators (%)

For each of the generator types listed in columns (a) and (b), lines 1 through 6, provide the percentage of the total capacity (as reported in Part A, line 2, columns (a) and (b), respectively), that each generator type comprises. The total of lines 1 through 6 should equal 100 percent in each column, (a) and (b)..

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**Schedule 7. Part C, Types Of Energy Sources Used (%)**

For each of the energy sources listed in lines 1 through 7, (columns (a) and (b)), provide the percentage of the total capacity (reported in Part B, line 2 (columns (a) and (b), respectively), that each energy source comprises. Although Wood and Wood Waste fuels are renewable and/or biomass fuels, they are to be reported separately on the form. Other solid renewable and biomass fuels are considered to be any of the fuels listed in the table below. The total of lines 1 through 7 should equal 100 percent in column (a) and (b).

Energy Source	Energy Source Description
<b>Solid Renewable Fuels</b>	Agricultural Crop Byproducts/Straw/Energy Crops
	Municipal Solid Waste
	Other Biomass Solids
	Tire-derived Fuels
	Wood/Wood Waste Solids. Including paper pellets, railroad ties, utility poles, wood chips, bark, & wood waste solids. (Reported separately on form)
<b>Liquid Renewable (Biomass) Fuels</b>	Other Biomass Liquids. Specify in Comment Section
	Sludge Waste
	Black Liquor
	Wood Waste Liquids excluding Black Liquor. Includes red liquor, sludge wood, spent sulfite liquor, and other wood-based liquids. (Reported separately on form)
<b>Gaseous Renewable (Biomass) Fuels</b>	Landfill Gas
	Other Biomass Gas. Includes digester gas, methane, and other biomass gasses.

**Schedule 8 - Distribution System Information**

Please verify the provided names of the counties, parishes, etc., by State, where your utility-owned distribution system's electrical equipment are located. The information preprinted may have been reported by the respondent last year and/or the result of independent research by the EIA staff processing the Form EIA-861. **Correct or add information and systems as needed.**

**Schedule 9 – Footnotes**

This schedule provides additional space for comments. For clarification purposes, identify schedule, part, line number and column (if applicable) for each comment.

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<b>GLOSSARY</b>	<p><b>Actual Peak Reduction:</b> The actual sum of coincident reductions for all programs to the annual peak load (measured in megawatts) achieved by customers that participate in a utility DSM program at the time of the ONE annual peak. It reflects the changes in the demand for electricity resulting from a utility DSM program that is in effect at the same time the utility experiences its annual peak load, as opposed to the installed peak load reduction capability (i.e., Potential Peak Reduction). It should account for the regular cycling of energy efficient units during the period of annual peak load.</p> <p><b>Administrative Cost:</b> Expenses incurred by the utility for staff involved in program planning, design, management, and administration. They include labor-related expenses, office supplies, data processing, and other such costs. They exclude the costs of marketing materials and advertising, purchases of equipment for specific programs, and rebates and other cash incentives.</p> <p><b>Annual Effects:</b> The total changes in energy use (measured in megawatt-hours) and peak load (measured in megawatts) caused by all participants in your DSM programs. This includes new and existing participants in existing programs (those implemented in prior years that are in place during the given year), all participants in new programs (those implemented during the given year), and participants in DSM programs that were terminated after 1992. DSM measures have a useful life and the net effects of these measures diminish over time. To the extent possible, the Annual Effects should consider the useful life of efficiency and load control measures by accounting for building demolition, equipment degradation, and program attrition. The effects of new participants in existing programs and all participants in new programs should be based on their start-up dates (i.e., if participants enter a program in July, only the effects from July to December should be reported). If start-up dates are unknown and cannot be reasonably estimated, the effects can be annualized (i.e., assume the participants were initiated into the program on January 1 of the given year). If you are operating a DSM program with dual Energy Efficiency and Load Building objective, separate the effects and report each in the appropriate program category. Please note that Annual Effects are <b>not</b> a summation of 12 monthly peaks or the aggregate of the Incremental Effects for the reporting year, but are the total effects of all DSM programs for all participants (new and existing) for the year.</p> <p><b>Backup Generator:</b> A generator that is used only for test purposes, or in the event of an emergency, such as a shortage of power needed to meet customer load requirements.</p> <p><b>Bundled Utility Services (electric):</b> A means of operation whereby energy, transmission, and distribution services as well as ancillary and retail services are provided by one entity.</p> <p><b>Cogenerator:</b> A generating facility that produces electricity and another form of useful thermal energy (such as heat or steam) used for industrial, commercial, heating, or cooling purposes. To receive status as a qualifying facility (QF) under the Public Utility Regulatory Policies Act (PURPA), the facility must produce electric energy and "another form of useful thermal energy through the sequential use of energy" and meet certain ownership, operating, and efficiency criteria established by the Federal Energy Regulatory Commission (FERC). (See the code of Federal Regulations, Title 18, Part 292.)</p> <p><b>Commercial:</b> An energy-consuming sector that consists of service-providing facilities and equipment of non-manufacturing businesses, such as restaurants, retail stores, hotels, public street and highway lighting, interdepartmental sales in commercial establishments, and public authorities; and other private organizations, such as religious, social, or fraternal groups. The commercial sector includes institutional living quarters. Common uses of energy associated with this sector include space heating, water heating, air conditioning, lighting, refrigeration, cooking, and running a wide variety of other equipment. Commercial customers may be classified as a function of energy demand or annual usage, which meets some specified limit set by the energy provider.</p> <p><b>Customer-site Generation:</b> Generating facilities that are located at or adjacent to the site where customer electricity use takes place.</p>	

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<b>GLOSSARY</b> <b>continued</b>	<p><b>Demand-Side Management:</b> The planning, implementation, and monitoring of utility activities designed to encourage customers to modify patterns of electricity usage, including the timing and level of electricity demand. It refers to only energy and load-shape modifying activities that are undertaken in response to utility-administered programs. It does not refer to energy and load-shape changes arising from the normal operation of the marketplace or from government-mandated energy-efficiency standards. Demand-Side Management (DSM) covers the complete range of load-shape objectives, including strategic conservation and load management, as well as strategic load growth.</p> <p><b>Demand-Side Management Costs:</b> The costs incurred by the utility to achieve the capacity and energy savings from the Demand-Side Management Program. Costs incurred by customers or third parties are to be excluded. The costs are to be reported in thousands of dollars (nominal) in the year in which they are incurred, regardless of when the savings occur. The utility costs are all the annual expenses (labor, administrative, equipment, incentives, marketing, monitoring and evaluation, and other incurred by the utility for operation of the DSM Program), regardless of whether the costs are expensed or capitalized. Lump-sum capital costs (typically accrued over several years prior to start up) are not to be reported. Program costs associated with strategic load growth activities are also to be excluded.</p> <p><b>Direct Utility Cost:</b> A utility cost that is identified with one of the DSM program categories (e.g. Energy Efficiency or Load Management).</p> <p><b>Distribution:</b> The delivery of energy to retail customers.</p> <p><b>Distribution Companies:</b> The entities that will continue to provide regulated services for the distribution of electricity to customers and serve customers who do not choose direct access. Regardless of where a customer chooses to purchase power, the customer's current utility, also known as the utility distribution company, will deliver the power to the customer.</p> <p><b>Electric Control Area Operator:</b> The control area operator is the manager of an electric power system or combination of electric power systems to which a common automatic generation control scheme is applied to match the power output of the generators within the electric power system(s) and capacity and energy purchased from entities outside the electric power system(s); maintain scheduled interchange with other control areas; maintain the frequency of the electric power system(s) within reasonable limits; and provide sufficient generating capacity to maintain operating reserves. There are approximately 150 electric control area operators in the United States.</p> <p><b>Energy Effects:</b> The changes in aggregate electricity use (measured in megawatthours) for customers that participate in a utility DSM program. Energy Effects should represent changes at the customer meter (i.e., exclude transmission and distribution effects) and reflect only activities that are undertaken specifically in response to utility-administered programs, including those activities implemented by third parties under contract to the utility. To the extent possible, Energy Effects should exclude non-program related effects such as changes in energy usage attributable to nonparticipants, government-mandated energy-efficiency standards that legislate improvements in building and appliance energy usage, changes in customer behavior that result in greater energy use after initiation in a DSM program, the natural operations of the marketplace, and weather and business-cycle adjustments.</p> <p><b>Energy Efficiency:</b> Refers to programs that are aimed at reducing the energy used by specific end-use devices and systems, typically without affecting the services provided. These programs reduce overall electricity consumption (reported in megawatthours), often without explicit consideration for the timing of program-induced savings. Such savings are generally achieved by substituting technologically more advanced equipment to produce the same level of end-use services (e.g. lighting, heating, motor drive) with less electricity. Examples include energy saving appliances and lighting programs, high-efficiency heating, ventilating and air conditioning (HVAC) systems or control modifications, efficient building design, advanced electric motor drives, and heat recovery systems.</p> <p><b>Energy Service Provider:</b> An energy entity that provides service to a retail or end-use consumers.</p>	



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<b>GLOSSARY</b> <b>continued</b>	<p><b>Exchange Energy:</b> Exchange energy refers to specific electricity transactions between electric utilities, where electricity received is returned in kind at a later time or accumulated as energy balances until the end of the stated period, after which settlement may be by monetary payment.</p> <p><b>Full Requirements Customer:</b> A wholesale customer without other generating resources whose electric energy seller is the sole source of long-term firm power for the customer's service area. The terms and conditions of sale are equivalent to the seller's obligations to its own retail services, if any.</p> <p><b>Grid-Connected/Synchronized Generators:</b> Alternating current generators that either are, or may be, connected to the grid and operated in synchronism with the grid. Two sources are synchronized when the current variations of each source are "in phase" with one another.</p> <p><b>Generator Nameplate Capacity (Installed):</b> The maximum rated output of a generator, prime mover, or other electric power production equipment under specific conditions designated by the manufacturer. Installed generator nameplate capacity is commonly expressed in megawatts (MW) and is usually indicated on a nameplate physically attached to the generator.</p> <p><b>Green Pricing Programs:</b> These types of programs allow electricity customers the opportunity to purchase electricity generated from renewable resources and to pay for renewable energy development. Renewable resources include solar, wind, geothermal, hydroelectric power, and wood.</p> <p><b>Heating System:</b> Energy Efficiency program promotion aimed at improving the efficiency of the heating-delivery system, including replacement, in the residential, commercial, or industrial sectors.</p> <p><b>Incentive Payments:</b> Incentive payments are cash payments made by program sponsors to end-users or contractors in return for implementation of approved energy efficiency measures.</p> <p><b>Incremental Effects:</b> The annual changes in energy use (measured in megawatthours) and peak load (measured in kilowatts) caused by new participants in your existing DSM programs and all participants in your new DSM programs during a given year. Reported Incremental Effects should be annualized to indicate the program effects that would have occurred had these participants been initiated into the program on January 1 of the given year. Incremental effects are not simply the Annual Effects of a given year minus the Annual Effects of the prior year, since these net effects would fail to account for program attrition, equipment degradation, building demolition, and participant dropouts.</p> <p><b>Independent Evaluation:</b> An evaluation of the company-sponsored energy efficiency and load management programs. These evaluations are usually performed by the company, or an outside contractor.</p> <p><b>Independent Power Producer (IPP):</b> IPP's are wholesale electricity producers, other than qualifying facilities under the Public Utility Regulatory Policies Act of 1978 (PURPA), that are unaffiliated with franchised utilities in the area in which the IPPs are selling power and that lack significant marketing power. Unlike traditional utilities, IPPs do not possess transmission facilities that are essential to their customers and do not sell power in any retail service territory where they have a franchise. An IPP is an entity that is not a qualifying facility.</p> <p><b>Indirect Utility Cost:</b> A utility cost that may not be meaningfully identified with any particular DSM program category. Indirect costs could be attributable to one of several accounting cost categories (i.e., Administrative, Marketing, Monitoring &amp; Evaluation, Utility-Earned Incentives, Other). Accounting costs that are known DSM program costs should not be reported under Indirect Utility Cost; those costs should be reported as Direct Utility Costs under the appropriate DSM program category.</p>	

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<b>GLOSSARY</b> <b>continued</b>	<p><b>Industrial:</b> <del>An energy-consuming sector that consists of all manufacturing facilities and equipment used for producing, processing, or assembling goods. The industrial sector encompasses the following types of activity: manufacturing; agriculture, forestry, and fisheries; mining; and construction. Overall energy use in this sector is largely for process heat and cooling and powering machinery, with lesser amounts used for facility heating, air conditioning, and lighting. Fossil fuels are also used as raw material inputs to manufactured products. This sector may include energy deliveries to large commercial customers, and may exclude deliveries to small industrial customers which may be included in the commercial sector. It also may classify by using the North American Industry Classification System or on the basis of energy demand or annual usage exceeding some specified limit set by the energy provider.</del></p> <p><b>Interconnection:</b> <del>Two or more electric systems having a common transmission line that permits a flow of energy between them. The physical connection of the electric power transmission facilities allows for the sale or exchange of energy.</del></p> <p><b>Interdepartmental Service (Electric):</b> <del>Interdepartmental service includes amounts charged by the electric department at tariff or other specified rates for electricity supplied by it to other utility departments.</del></p> <p><b>Kilowatt (kW):</b> <del>One thousand watts.</del></p> <p><b>Kilowatthour (kWh):</b> <del>One thousand watthours.</del></p> <p><b>Load Management:</b> <del>Refers to all DSM programs designed to reduce customer load at the time of system peak. The Load Management category is the sum of all peak reduction programs that previously were reported on the Schedule V of the Form EIA-861 as Direct Load Control, Interruptible Load, Other Load Management, or Other DSM Programs.</del></p> <p><b>Maximum Hourly Load:</b> <del>This is determined by the interval in which the 60-minute integrated demand is the greatest.</del></p> <p><b>Megawatt (MW):</b> <del>One million watts.</del></p> <p><b>Megawatthour (MWh):</b> <del>One million watthours.</del></p> <p><b>Net Energy for System:</b> <del>The sum of energy an electric utility needs to satisfy their service areas and includes full and partial requirements wholesale customers.</del></p> <p><b>Net Generation:</b> <del>Gross generation minus plant use from all electric utility owned plants. The energy required for pumping at a pumped-storage plant is regarded as plant use and must be deducted from the gross generation.</del></p> <p><b>Net Metering:</b> <del>Refers to an arrangement that permits a facility (using a meter that reads inflows and outflows of electricity) to sell any excess power it generates over its load requirement back to the electrical grid to offset consumption.</del></p> <p><b>Nonrequirements Customer:</b> <del>A wholesale customer (unlike a full or partial requirements customer) that purchases economic or coordination power to supplement their own or another system's energy needs.</del></p> <p><b>Nonutility Power Producer:</b> <del>A corporation, person, agency, authority, or other legal entity or instrumentality that owns electric generating capacity and is not an electric utility. Nonutility power producers include qualifying cogenerators, qualifying small power producers, and other nonutility generators (including independent power producers) without a designated franchised service area, and which do not file forms listed in the Code of Federal Regulations, Title 18, Part 141.</del></p> <p><b>Other Power Producer:</b> <del>A corporation, person, agency, authority, or other legal entity or instrumentality that owns electric generating capacity and is not an electric utility. Other Power Producers include qualifying cogenerators, qualifying small power producers, and other nonutility generators (including independent power producers) without a designated franchise service area, and which do not file forms listed in the Code of Federal Regulations, Title 18, Part 141.</del></p>	

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<b>GLOSSARY</b> <b>continued</b>	<p><del><b>Partial Requirements Customer:</b> A wholesale customer with generating resources insufficient to carry all its load and whose energy seller is a long-term firm power source supplemental to the customer's own generation or energy received from others. The terms and conditions of sale are similar to those for a full requirements customer.</del></p> <p><del><b>Peak Demand:</b> The maximum load during a specified period of time.</del></p> <p><del><b>Potential Peak Reduction:</b> The potential sum of coincident reductions for all programs to the annual peak load (measured in megawatts) achieved by customers that participate in a utility DSM program at the time of the ONE annual peak. It should account for the regular cycling of energy-efficient units during the period of annual peak load.</del></p> <p><del><b>Power Marketers:</b> Business entities, including energy service providers, that are engaged in buying and selling electricity, but do not own generating or transmission facilities. Power marketers and energy service providers, as opposed to brokers, take ownership of the electricity and are involved in interstate trade. Power marketers file with the Federal Energy Regulatory Commission for status as a power marketer. Energy service providers may not register with the FERC but may register with the States if they only undertake retail transactions.</del></p> <p><del><b>Qualifying Facility (QF):</b> A cogeneration or small power production facility that meets certain ownership, operating, and efficiency criteria established by the Federal Energy Regulatory Commission (FERC) pursuant to the Public Utility Regulatory Policies Act (PURPA). (See the Code of Federal Regulations, Title 18, Part 292.)</del></p> <p><del><b>Residential:</b> An energy-consuming sector that consists of living quarters for private households. Common uses of energy associated with this sector include space heating, water heating, air conditioning, lighting, refrigeration, cooking, and running a variety of other appliances. The residential sector excludes institutional living quarters. This sector may exclude deliveries or sales to apartment buildings or homes on military bases (these buildings or homes may be included in the commercial sector).</del></p> <p><del><b>Sales for Resale:</b> Resale or wholesale sales are electricity sold (except under exchange agreements) to other electric utilities or to public authorities for resale distribution. (This includes sales to requirements and nonrequirements customers.)</del></p> <p><del><b>Service to Public Authorities:</b> Public authority service includes electricity supplied and services rendered to municipalities or divisions or agencies of State and Federal governments, under special contracts or agreements or service classifications applicable only to public authorities.</del></p> <p><del><b>Small Power Producer (SPP):</b> Under the Public Utility Regulatory Policies Act (PURPA), a small power production facility (or small power producer) generates electricity using waste, renewables (water, wind, and solar) or geothermal energy as a primary energy source. Fossil fuels can be used, but renewable resources must provide at least 75 percent of the total energy input. (See Code of Federal Regulations, Title 18, Part 292.)</del></p> <p><del><b>Tolling Arrangement:</b> Contract arrangement under which a raw material or intermediate product stream from one company is delivered to the production facility of another company in exchange for the equivalent volume of finished products and payment of a processing fee. For the purposes of this form, a <b>Tolling Agreement</b> is an arrangement that allows one company to have marketing control of electricity produced by generating assets owned by another company. The agreement usually requires the marketer to procure the fuel supply necessary to produce the electricity.</del></p>	
<b>GLOSSARY</b> <b>continued</b>	<p><del><b>Total Cost:</b> Refers to the sum of the total Direct and Indirect Utility Costs for the year. Utility costs should reflect the total cash expenditures for the year, reported in nominal dollars, that flowed out to support DSM programs. They should be reported in the year they are incurred, regardless of when the actual effects occur.</del></p> <p><del><b>Transmission by Others Losses:</b> Energy losses associated with the wheeling of electricity provided to an electric utility system by other electric utilities.</del></p> <p><del><b>Transportation:</b> an energy-consuming sector that consists of electricity supplied and services rendered to railroads and interurban and street railways, for general railroad use including the propulsion of cars or locomotives, where such electricity is supplied under</del></p>	

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<del>separate and distinct rate schedules.</del>		
<del>Wheeling: The use of the transmission facilities of one system to transmit power and energy by agreement of, and for, another system with a corresponding wheeling charge, e.g., the transmission of electricity over an electric utility's system for compensation, which the electric utility received from one system and delivered to another system.</del>		
GLOSSARY	The glossary for this form is available online at the following URL: <a href="http://www.eia.doe.gov/cneaf/electricity/page/define.html">http://www.eia.doe.gov/cneaf/electricity/page/define.html</a>	
SANCTIONS	The timely submission of Form EIA-861 by those required to report is mandatory under Section 13(b) of the Federal Energy Administration Act of 1974 (FEAA) (Public Law 93-275), as amended. Failure to respond may result in a penalty of not more than \$2,750 per day for each civil violation, or a fine of not more than \$5,000 per day for each criminal violation. The government may bring a civil action to prohibit reporting violations, which may result in a temporary restraining order or a preliminary or permanent injunction without bond. In such civil action, the court may also issue mandatory injunctions commanding any person to comply with these reporting requirements. <b>Title 18 U.S.C. 1001 makes it a criminal offense for any person knowingly and willingly to make to any Agency or Department of the United States any false, fictitious, or fraudulent statements as to any matter within its jurisdiction.</b>	
REPORTING BURDEN	Public reporting burden for this collection of information is estimated to average <del>9.5</del> <b>8.1</b> hours per response <del>from regulated respondents and 1.0 hours per response for unregulated respondents</del> , including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Energy Information Administration, Statistics and Methods Group, EI-70, 1000 Independence Avenue S.W., Forrestal Building, Washington, D.C. 20585-0670; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503. A person is not required to respond to the collection of information unless the form displays a valid OMB number.	
CONFIDENTIALITY	<del>Information reported on Form EIA-861 will not be treated as confidential and may be publicly released in identifiable form. In addition to the use of the information by EIA for statistical purposes, the information may be used for any nonstatistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.</del>	